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E.O. 11652: GDS

TAGS: PGOV KS US

SUBJ: TONGSUN PARK AFFAIR: FULL TEXT OF JOINT STATEMENT

FOLLOWING IS FULL TEXT OF JOINT STATEMENT:

TITLE: JOINT STATEMENT REGARDING COOPERATION BETWEEN
THE GOVERNMENTS OF THE UNITED STATES AND THE REPUBLIC
OF KOREA CONCERNING THE CASE OF MR. TONGSUN PARK.

PREAMBLE: THE AMBASSADOR OF THE UNITED STATES TO THE
REPUBLIC OF KOREA AND THE FOREIGN MINISTER OF THE REPUBLIC
OF KOREA TODAY JOINTLY ANNOUNCE THE FOLLOWING UNDERSTANDINGS

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BETWEEN THE TWO GOVERNMENTS GUIDING THEIR MUTUAL COOPERATION
CONCERNING MR. TONGSUN PARK.

1. MUTUAL PROSECUTION ASSISTANCE AGREEMENT BETWEEN THE
REPUBLIC OF KOREA MINISTRY OF JUSTICE AND THE UNITED STATES
DEPARTMENT OF JUSTICE CONCERNING TERMS AND CONDITIONS FOR
COMMUNICATING WITH MR. TONGSUN PARK.

A MUTUAL PROSECUTION ASSISTANCE AGREEMENT CONCERNING MR. TONGSUN PARK WILL BE SIGNED IN SEOUL BETWEEN REPRESENTATIVES OF THE REPUBLIC OF KOREA MINISTRY OF JUSTICE AND THE UNITED STATES JUSTICE DEPARTMENT PRIOR TO THE BEGINNING OF THE QUESTIONING OF MR. TONGSUN PARK. PROVISIONS OF THE AGREEMENT WILL BE CONSISTENT WITH THIS JOINT STATEMENT.

2. DEPARTMENT OF JUSTICE MEETING WITH MR. TONGSUN PARK. MR. TONGSUN PARK WILL MEET BRIEFLY WITH UNITED STATES OFFICIALS IN THE UNITED STATES EMBASSY IN SEOUL IN THE PRESENCE OF TWO KOREAN OFFICIALS AND MR. PARK'S COUNSEL. THE PURPOSE OF THIS MEETING WILL BE FOR SIGNING BY THE UNITED STATES DEPARTMENT OF JUSTICE AND MR. PARK OF A MEMORANDUM OF UNDERSTANDING CONCERNING MR. TONGSUN PARK'S AGREEMENT TO GIVE TRUTHFUL TESTIMONY AND THE DEPARTMENT OF JUSTICE'S OFFER TO GRANT HIM FULL IMMUNITY AND, UPON COMPLETION OF HIS TESTIMONY, TO SEEK THE DISMISSAL OF THE INDICTMENT NOW PENDING AGAINST HIM.

3. QUESTIONING OF MR. TONGSUN PARK IN KOREA.

A. MR. PARK WILL BE QUESTIONED IN SEOUL BY KOREAN AND AMERICAN PROSECUTORS AT A LOCATION TO BE
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MUTUALLY AGREED UPON AND ARRANGED BY THE KOREAN SIDE.

B. THERE WILL BE NO LIMITATION ON THE NUMBER OF QUESTIONING SESSIONS, BUT SUCH QUESTIONING SHALL BE CONDUCTED DURING NORMAL OFFICE WORKING HOURS. SESSIONS WILL NOT BE OPEN TO THE PUBLIC. THE QUESTIONING WILL CONCERN THE RELATIONSHIP BETWEEN MR. TONGSUN PARK AND UNITED STATES OFFICIALS AND PERSONS, AND MR. PARK'S ACTIONS WITH RESPECT TO THEM.

C. BOTH THE KOREAN AND UNITED STATES PROSECUTORS WILL ENGAGE IN FULL AND DIRECT QUESTIONING OF MR. TONGSUN PARK.

D. OATHS WILL BE ADMINISTERED IN ACCORDANCE WITH KOREAN LAW AND INTERNATIONAL PRACTICES; POLYGRAPH EXAMINATION MAY BE USED; ENGLISH MAY BE USED IN QUESTIONS AND ANSWERS ALONG WITH KOREAN WITH THE HELP OF INTERPRETERS; AND VERBATIM RECORD WILL BE MADE OF THE TESTIMONY.

4. ARRANGEMENTS AND ASSURANCES FOR MR. TONGSUN PARK'S

TRIAL TESTIMONY BEFORE UNITED STATES COURTS.

A. THE PURPOSE OF MR. TONGSUN PARK'S TRAVEL TO THE UNITED STATES UNDER THESE ARRANGEMENTS IS TO TESTIFY AS A WITNESS IN COURT.

B. THE UNITED STATES DEPARTMENT OF JUSTICE WILL SEEK DISMISSAL BY THE COURT OF THE PENDING INDICTMENT AGAINST MR. TONGSUN PARK PROMPTLY UPON COMPLETION OF HIS TRUTHFUL TESTIMONY AT THE LAST UNITED STATES COURT PROCEEDING AND WILL PROVIDE HIM WITH FULL IMMUNITY FROM ANY PAST CRIMINAL CONDUCT.

C. THE INTENTION OF THE UNITED STATES DEPARTMENT OF
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JUSTICE IS TO QUESTION MR. TONGSUN PARK BEFORE THE COURT ON THE SUBJECT OF HIS RELATIONS WITH UNITED STATES OFFICIALS AND PERSONS, AND MR. PARK'S ACTIONS WITH RESPECT TO THEM.

D. MR. TONGSUN PARK BY REASON OF THESE ARRANGEMENTS WILL ASSUME NO OBLIGATION TO APPEAR BEFORE CONGRESSIONAL COMMITTEES IN THE UNITED STATES OR TO UNDERGO QUESTIONING BY ANY UNITED STATES GOVERNMENT AGENCY OTHER THAN THE DEPARTMENT OF JUSTICE.

E. THE UNITED STATES GOVERNMENT GIVES FULL ASSURANCES THAT IT WILL TAKE ALL NECESSARY MEASURES TO PROTECT THE PERSONAL SAFETY OF MR. TONGSUN PARK WHEN IN THE UNITED STATES SHOULD CAUSE FOR SUCH MEASURES ARISE.

F. MR. TONGSUN PARK WOULD BE ADMITTED TO THE UNITED STATES UNDER THE AUTHORITY OF THE DEPARTMENT OF JUSTICE FOR THE SPECIFIC PURPOSE OF THE LIMITED PERIODS NECESSARY FOR TESTIFYING AT COURT TRIALS. THE UNITED STATES GOVERNMENT GIVES FULL ASSURANCES THAT THE DEPARTMENT OF JUSTICE DOES NOT INTEND TO DETAIN HIM IN THE UNITED STATES. UNDER THESE ARRANGEMENTS, THEREFORE, IT IS EXPECTED THAT HE WOULD RETURN TO THE REPUBLIC OF KOREA PROMPTLY AFTER HIS TESTIMONY AT EACH TRIAL.

5. MR. TONGSUN PARK'S TRAVEL TO AND FROM THE UNITED STATES AND THE REPUBLIC OF KOREA.

A. THE REPUBLIC OF KOREA GOVERNMENT IS PREPARED ACTIVELY TO ADVISE MR. TONGSUN PARK TO TRAVEL TO THE UNITED STATES AS A WITNESS SOLELY FOR THE PURPOSE OF TRIAL TESTIMONY, IF AND WHEN NECESSARY.

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B. THE REPUBLIC OF KOREA GOVERNMENT WILL PROVIDE MR. TONGSUN PARK WITH A TRAVEL DOCUMENT AND EXIT PERMIT IN ORDER FOR HIM TO TRAVEL ONLY TO AND FROM THE UNITED STATES AND THE REPUBLIC OF KOREA SOLELY FOR THE PURPOSE OF HIS TRIAL TESTIMONY BEFORE THE UNITED STATES COURT, AND WILL TAKE ALL NECESSARY STEPS TO FACILITATE HIS TRAVEL FOR THIS PURPOSE.

IN MAKING PUBLIC THIS JOINT STATEMENT, THE TWO GOVERNMENTS REAFFIRM THEIR LONG-STANDING SPIRIT OF FRIENDLY COOPERATION AND EXPRESS THEIR SINCERE HOPE FOR THE EARLY SETTLEMENT OF THE PENDING PROBLEMS BETWEEN THE TWO GOVERNMENTS CONCERNING THE CASE OF MR. TONGSUN PARK.

DONE AT SEOUL, KOREA THIS (BLANK) DAY OF (BLANK) IN DUPLICATE IN THE KOREAN AND ENGLISH LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF THE UNITED STATES: FOR THE GOVERNMENT OF THE REPUBLIC OF KOREA:

END TEXT

NOTE: FOR FORMAL SIGNING WE HAVE PREPARED DUPLICATE TEXTS WITH THE POSITIONING OF QUOTE THE REPUBLIC OF KOREA END QUOTE AND QUOTE THE UNITED STATES END QUOTE OF THE TITLE AND QUOTE THE FOREIGN MINISTER OF THE REPUBLIC OF KOREA END QUOTE AND QUOTE THE AMBASSADOR OF THE UNITED STATES TO THE REPUBLIC OF KOREA END QUOTE OF THE PREAMBLE IN REVERSE ORDER. COPY FOR ROKG WILL HAVE ROK FIRST, COPY FOR THE UNITED STATES WILL HAVE THE UNITED STATES FIRST. SIGNATURE BLOCKS ALSO REVERSED WITH COUNTRY NAMED FIRST SIGNING ON THE LEFT.

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